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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HADONA DIEP,

Plaintiff,

v.

APPLE INC.,

Defendant.

CASE NO. 4:21-CV-10063-PJH

**DECLARATION OF ISABELLE L. ORD
IN SUPPORT OF STIPULATION TO
EXTEND TIME TO RESPOND TO THE
COMPLAINT**

Judge: Hon. Phyllis J. Hamilton

1 1. I am a partner with the law firm of DLA Piper LLP (US), counsel of record for
2 Defendant Apple Inc. (“Defendant”) in this matter. I have personal knowledge of the following
3 facts and if called to testify, I could and would testify competently thereto.

4 2. On September 16, 2021, Plaintiff Hadona Diep (“Plaintiff”) filed a Complaint in
5 the United States District Court for the District of Maryland (Dkt. No. 1).

6 3. On November 4, 2021, Plaintiff moved to transfer the case to the United States
7 District Court for the Northern District of California (Dkt. No. 13).

8 4. On December 23, 2021, the United States District Court for the District of
9 Maryland ordered that the above-captioned case be transferred to the United States District Court
10 for the Northern District of California (the “December 23 Order”) (Dkt. No. 19). The December
11 23 Order further stated that “Defendant’s response to the Complaint shall be due forty-five days
12 after the date on which this case is transferred and opened in the United States District Court for
13 the Northern District of California.” The above-captioned matter was then transferred and opened
14 on December 29, 2021, in this Court (Dkt. No. 20), thereby setting Defendant’s deadline to
15 respond to the Complaint as February 14, 2022.

16 5. The parties have met and conferred, and it is understood between the parties that
17 Plaintiff intends to file an Amended Complaint on or before March 15, 2022. As such, the parties
18 agree that it would be inefficient to engage in motions practice or responsive pleading relating to a
19 Complaint that will shortly be amended.

20 6. The Parties therefore agree and stipulate that Defendant’s response to the Amended
21 Complaint shall be due forty-five (45) days after the date on which the Amended Complaint is
22 filed with the Court.

23 7. This extension of time is for legitimate purposes and is not intended to cause
24 unnecessary delay, and no party will be prejudiced by the extension. The parties have agreed to
25 this extension as a professional courtesy and to conserve the parties’ and Court’s resources.

26 8. There have been no previous time modifications in this case.
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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed February 10, 2022, at Moraga, California.

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5 /s/ Isabelle L. Ord
6 Isabelle L. Ord
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